

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

ARLONZO JACKSON BANKS,
Petitioner,
v.
JEFF LYNCH,
Respondent.

No. 2:21-cv-00843 TLN DB P

ORDER

Petitioner is a state prisoner, and is proceeding pro se. He filed an application for a writ of habeas corpus pursuant to 28 U.S.C. § 2254.

After he filed his habeas petition, petitioner was transferred to the Salinas Valley State Prison ("SVSP"). Petitioner filed a Motion to Substitute Respondent in this action. (ECF No. 13.) This motion will be granted. See Rule 2(a), Rules Gov'ing § 2254 Cases; Brittingham v. United States, 982 F.2d 378, 379 (9th Cir. 1992). Accordingly, SVSP warden Matthey Atchley is substituted for the prior respondent, Jeff Lynch, the warden of California State Prison. Id.

Respondent has also filed a motion for extension of time to file traverse. (ECF No. 17.) Respondent has since filed his traverse. (ECF No. 16.) As the traverse has already been filed, the court will deny respondent's request for an extension of time as moot.


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Accordingly, IT IS HEREBY ORDERED that:

1. Petitioner's Motion to Substitute Respondent (ECF No. 13) is granted;
2. The Clerk of the Court is directed to substitute SVSP warden Matthey Atchley as respondent in this action; and
3. Respondent's Motion for Extension of Time to File Traverse (ECF No. 17) is denied as moot.

DATED: August 12, 2022



DEBORAH BARNES
UNITED STATES MAGISTRATE JUDGE

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